



September 3, 2020

**Via U.S. Mail and Electronic Filing**

Chief Judge Pamela Pepper  
United States Courthouse Room 208  
517 East Wisconsin Avenue  
Milwaukee, WI 53202

Re: Geebo LLC v. Village of Somers, et al., Case No. 19-cv-175

Dear Judge Pepper:

I write to you on behalf of Plaintiff Geebo LLC, d/b/a Somers House, first, to provide the Court with a flash drive containing an exhibit relevant to Somers House's Motion for Partial Summary Judgment. The flash drive includes Exhibit C to my supporting declaration, which is an audio file referenced in our Proposed Findings of Fact and supporting Memorandum of Law. Please contact my office should you or your staff have issues accessing the audio file.

I write, next, concerning the Somers House's pending Rule 7(h) Motion for Leave to submit a Second Amended Complaint. (Doc. 49 & 49-1). Somers House's proposed new pleading sought to clarify its intent to seek declaratory relief against Defendant Village of Somers—specifically, that certain provisions of the Village's cabaret ordinance scheme are unconstitutional.

Somers House based its motion for leave to amend on its representation that it didn't need further discovery on that claim and could file a timely dispositive motion to resolve the solely-legal issue of whether the ordinance is facially unconstitutional. Somers House has complied with its representations and submitted by the September 3 deadline its Motion for Summary Judgment materials on its proposed declaratory judgment claim. I'd ask for immediate briefing on this motion should the Court grant Somers House's pending motion for leave to amend.

Thank you for your attention to this matter.

Sincerely,

**Davis & Kuelthau, s.c.**

*Electronically signed by Ryan M. Wiesner*

Ryan M. Wiesner

RMW:pl

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